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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,817	06/18/2001	Jens Barremscheen	GR 00 P 12246	2567
27346 7590 09/08/2008 LERNER GREENBERG STEMER LLP FOR INFINEON TECHNOLOGIES AG P.O. BOX 2480 HOLLYWOOD, FL 33022-2480				
EXAMINER				
KNOLL, CLIFFORD H				
ART UNIT		PAPER NUMBER		
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09/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JENS BARRENSCHEEN
and WILHARD VON WENDORFF

Application No. 09/883,817
Technology Center 2100

Mailed: September 8, 2008

Before DALE M. SHAW *Chief Appeals Administrator*.
SHAW, *Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL

This application was received electronically at the Board of Patent Appeals and Interferences on April 4, 2008. A review of the application has revealed that the

application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

A review of the file indicates that Claim 1 in the appendix of the APPEAL BRIEF filed June 15, 2006 is not consistent as amended in the Amendment filed October 7, 2004. See 37 CFR § 41.37(c)(1)(viii). Correction is required.

A Supplemental Appeal Brief is required for the claims appendix.

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner:

- 1) to hold the Appeal Brief filed June 15, 2006, defective;
- 2) notify appellants to file a Supplemental Appeal Brief with a correct copy of claims for the Claims Appendix;
- 3) consider the Supplemental Appeal Brief and if the Supplemental Appeal Brief is in compliance, issue and mail a Form PTOL-90 acknowledging receipt and consideration of the Supplement Brief; and
- 4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/gjh

Application No.09/883,817

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